

455B.462 Limitations on land disposal of hazardous waste.

1. A generator, recycler, transporter or other handler of hazardous waste shall not dispose of the wastes by land disposal or store wastes at an aboveground storage facility, unless all of the following conditions exist:

a. The commission determines that the best available technology is being used at the land disposal facility.

b. The handler proves to the satisfaction of the commission that there is no available alternative including aboveground storage for the disposal of hazardous waste.

c. The handler utilizes methods of source reduction, recycling and destruction of hazardous waste to the extent feasible, as determined by rule.

d. The handler pretreats the hazardous waste as determined by rule.

2. The commission shall adopt rules including, but not limited to, the following:

a. To determine the criteria that industry must satisfy to show that alternatives to land disposal of hazardous wastes are not technically or economically feasible.

b. To require that all industrial and commercial owners or users of land disposal and storage sites report to the department annually the amount and content of current hazardous waste production, treatment methods used and technological advances made or pursued to implement alternatives to land disposal and source reduction.

85 Acts, ch 202, §3